IN THE HIGH COURT OF JUDICATURE AT BOMBY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 79 OF 2006

Shri Anand Dagdu Belose
and Ors. .....Petitioners.

V/s

The State of Maharashtra
and Ors. .....Respondents.

Mr. P.S. Dani i/b Mr. K.S. Dewal for Petitioners.

Ms V. Mhaispurkar, AGP for Respondents - State.

Mr. R.S. Ghate for Respondent Nos. 1 to 4.

Mr. S.M. Sabrad for Respondent No.5.

CORAM: S.J. VAZIFDAR, J.
DATE : 31st January, 2007

P.C:

1. Rule. Rule returnable and heard forthwith.

2. It is desirable that the disputes in respect of this Co-operative Housing Society be resolved and neither the members nor the Society are made to incur unnecessary costs in litigation. With that aim in mind, the parties have no objection to the following order:-

(i) Mr. Dani, learned Counsel appearing on behalf

of the Petitioners i.e. Members of the managing committee of the Sarovardarshan Co-op. Housing Society Limited, states that the elections for the members of the managing committee shall be held on or before 3rd May, 2007.

(ii) The election shall be conducted by the Officer to be appointed by the Co-operative Court, Thane.

(iii) In view of the above, the impugned order is set aside and the proceedings under section 78 shall stand withdrawn. It is clarified, however, that if for any reason, elections are not held as aforesaid, position as of today shall revert.

(iv) Till the election is held, Society shall not take any major policy decision without leave of this Court.

3. Rule is made absolute accordingly.